

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

X

SHASHA ZHANG

Individually and on Behalf of All Other Employees  
Similarly Situated,

*Plaintiff(s),*

-against-

NEXUS HOLIDAYS NEW YORK INC., and  
NEXUS HOLIDAYS GROUP INC.,  
SHANGHAI YILIAN INTERNATIONAL TRAVEL  
AGENCY LTD., LINGMIN ZHANG a/k/a MARC  
ZHANG, MATTHEW WANG, and  
John Doe and Jane Doe

*Defendant(s),*

X

Index No: 20-cv-00275(AMD)(CLP)

**29 U.S.C. § 216(B)  
COLLECTIVE ACTION AND  
RULE 23 CLASS ACTION**

**NOTICE OF PLAINTIFF'S  
MOTION FOR CONDITIONAL  
COLLECTIVE  
CERTIFICATION**

**PLEASE TAKE NOTICE** that upon the annexed Declaration of Hui Chen, sworn to on July 13, 2021, and all exhibits attached thereto, and upon all prior pleadings and proceedings herein, the undersigned shall move this Court, at the United States Courthouse for the Eastern District of New York, before the Honorable Judge Ann M. Donnelly for an Order:

- (1) Granting collective action status, under the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 216(b);
- (2) Ordering the Defendants within fourteen (14) days of the entry of this Order to produce an Excel spreadsheet containing the first and last name, last known address with apartment number (if applicable), the last known telephone numbers, last known e-mail addresses, WhatsApp, WeChat ID and/or FaceBook usernames (if applicable), and work location, dates of employment and position of ALL current and former non-exempt and non-managerial employees employed at any time from January 16, 2017 (three years prior to the filing of the Complaint) to the date when the Court so-orders the Notice of Pendency and Consent to Join Form or the date when Defendants provide the name list, whichever is later;
- (3) Authorizing that notices of this matter be disseminated, in any relevant language via mail, email, text message, website or social media messages, chats, or posts, to all members of the putative class within twenty one (21) days after receipt of a complete and accurate Excel spreadsheet with affidavit from Defendants certifying that the list is complete and from existing employment records;
- (4) Authorizing an opt-in period of 90 days from the day of dissemination of the notice and its translation;

- (5) Authorizing the Plaintiff to publish the full opt-in notice on Plaintiff's counsel's website;
- (6) Authorizing the publication of a short form of the notice may also be published to social media groups specifically targeting the English, Chinese, Spanish speaking immigrant worker community;
- (7) Ordering the Defendants to post the approved Proposed Notice in all relevant languages, in a conspicuous and unobstructed locations likely to be seen by all currently employed members of the collective, and the notice shall remain posted throughout the opt-in period, at the workplace;
- (8) Ordering the Plaintiff to publish the Notice of Pendency, in an abbreviated form to be approved by the Court, at Defendants' expense by social media and by publication in newspaper should Defendants fail to furnish a complete Excel list or more than 20% of the Notice be returned as undeliverable with no forwarding address to be published in English, Chinese, and Spanish; and
- (9) Ordering the equitable tolling on the statute of limitation on this suit be tolled for 90 days until the expiration of the Opt-in Period.

Dated: Flushing, New York

July 13, 2021

Respectfully submitted,

Hui Chen and Associates, P.L.L.C.

/s/ Hui Chen

By: Hui Chen, Esq.  
136-20 38<sup>th</sup> Ave., Suite 9E  
Flushing, NY 11354  
Tel: (718) 463-2666  
Email: hui.chen@alum.cardozo.yu.edu  
*Attorneys for Plaintiff(s)*